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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yann Echelard et al.

Art Unit : 1645

Serial No. : 09/884,586

Examiner : Quang Nguyen

Filed : June 19, 2001

TECH CENTER 1600/2900

Title : TRANSGENICALLY PRODUCED PLATELET DERIVED GROWTH FACTOR

Commissioner for Patents
Washington, D.C. 20231RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed September 30, 2002, applicant elects the invention of Group I drawn to the embodiment of methods of producing a transgenic mammal capable of expressing an active PDGF molecule in its milk, and methods of producing platelet derived growth factor using the same transgenic mammal, with traverse. Applicant traverses the restriction of claims 10, 13 and 16 from Group I for the reasons set forth below and submit that these claims should be properly grouped with the claims 1-9, 11-12 and 14-15 of Group I. The inventions of Group III (claims 17-24) and Group IV (25-31) are cancelled as directed to non-elected subject matter.

Applicant respectfully traverses the restriction under 35 U.S.C. § 121 to the extent that claims 10, 13 and 16 have been restricted from the invention of Group I.

The Examiner asserts that "claims 8, 11, and 14 link a plurality of patentably distinct methods of producing a transgenic mammal capable of expressing and active molecule in its milk of Groups I and II that lack unity of invention." Specifically, the Examiner asserts that

[t]his is because the methods of producing a transgenic mammal involve different starting materials, method steps and different technical considerations for attaining the transgenic mammal. For example, the method of group I requires the introduction of a nucleic acid encoding PDGF chains into an oocyte, whereas the method of claim II requires the introduction of a nucleic acid sequence

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 30, 2002

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